

B 151—Affidavit of Service of Summons or Subpoena: Personal or Alternative  
Methods: Corp. or Ind.; Military Service, 10 pt. type, 1-93

COURT

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

DEUTSCHE BANK TRUST COMPANY AMERICAS IN ITS CAPACITY AS  
SUCCESSOR INDENTURE TRUSTEE FOR CERTAIN SERIES OF  
SENIOR NOTES, ET AL.,

Plaintiff(s)

against

ABU DHABI INVESTMENT AUTHORITY, ET AL.,

Defendant(s)

Index No. 11 CIV. 4522 (RJH)

AFFIDAVIT OF  
SERVICE OF SUMMONSIN A CIVIL ACTION, FIRST AMENDED  
COMPLAINT WITH EXHIBITS, ELECTRONIC CASE  
FILING RULES & INSTRUCTIONS, INDIVIDUAL  
PRACTICES OF JUDGE RICHARD J. HOLWELL

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at WHEATLEY HEIGHTS, NEW YORK

That on 9/1/11

at 1:37 P.M., at 1221 6TH AVENUE, NEW YORK, NEW YORK

deponent served the within summons, and complaint on MORGAN STANLEY S&P 500 INDEX FUND defendant therein named,  
SEE ABOVE STATED DOCUMENTS C/O MORGAN STANLEY INVESTMENT ADVISORS, INC.

## INDIVIDUAL

1. ☐

## CORPORATION

2. ☒

## SUITABLE AGE PERSON

3. ☐

## AFFIXING TO DOOR, ETC.

4. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

a DOMESTIC corporation, by delivering thereat a true copy of each to DANA BALACEK personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state. by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 45A. ☐MAILING TO  
BUSINESS  
USE WITH 3 OR 45B. ☐DESCRIPTION  
USE WITH  
1, 2, OR 3

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to and deposited defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input checked="" type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.


Other identifying features:

USE IN  
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on  
9/2/11Gabriela Galindo  
Notary Public, State of New York  
No. 01GA6187899  
Qualified in Queens County  
Commission Expires 6/02/2012
  
 PRINT NAME BENEATH SIGNATURE  
 RUSSELL WEBB

License No. 1216146

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.